

PROB12A1

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

**REPORT OF OFFENDER NON-COMPLIANCE**

**Offender Name:** Marc TARVER

**Docket Number:** 2:03CR00042-09

**Offender Address:** Bakersfield, California

**Judicial Officer:** Honorable Frank C. Damrell, Jr.  
United States District Judge  
Sacramento, California

**Original Sentence Date:** January 24, 2005

**Original Offense:** 18 USC 1962(d) - Conspiring to Conduct the Affairs of  
an Enterprise Through a Pattern of Racketeering  
Activity  
(CLASS C FELONY)

**Original Sentence:** 27 months Bureau of Prisons; 36 months supervised  
release; \$100 special assessment; mandatory testing

**Special Conditions:** Warrantless search and seizure; financial disclosure;  
drug testing; co-payment; DNA collection

**Type of Supervision:** Supervised Release

**Supervision Commenced:** January 28, 2005

**Assistant U.S. Attorney:** R. Steven Lapham, Philip A. Ferrari, Kenneth J. Melikian  
**Telephone:** (916) 554-2700

**Defense Attorney:** Lindsay A. Weston **Telephone:** (530) 756-7774

**Other Court Action:** None

**RE: Marc TARVER**  
**Docket Number: 2:03CR00042-09**  
**REPORT OF OFFENDER NON-COMPLIANCE**

---

---

**NON-COMPLIANCE SUMMARY**

The purpose of this report is to advise the Court of an alleged violation of the terms of supervision. The Probation Officer has developed a plan to dispose of the alleged non-compliance with action less than revocation, and the Court is requested to approve the plan to address the non-compliance.

**1. MISSED TESTING APPOINTMENT(S)**

**Details of alleged non-compliance:** The defendant failed to report to Turning Point on August 22, 2005, and September 10, 2005, as required by special condition number 3 stating he shall participate in a program of testing to determine if he has reverted to the use of drugs.

**United States Probation Officer Plan/Justification:** Regarding the aforementioned failures to report for testing, the defendant stated he was unable to show for testing due to a lack of transportation. However, he agreed to comply with increased testing requirements in order to resolve his violation conduct.

Considering the defendant appears to have remained clean and sober since the commencement of supervision and has expressed a willingness to comply with increased testing requirements, the probation officer recommends no negative action be taken at the present time. Should the defendant again find himself at variance from the terms and conditions of supervision, the probation officer will immediately notify the Court.

**RE: Marc TARVER**  
**Docket Number: 2:03CR00042-09**  
**REPORT OF OFFENDER NON-COMPLIANCE**

Respectfully submitted,

/s/ R. Walters

**R. WALTERS**  
**United States Probation Officer**  
Telephone: (661) 861-4305

**DATED:** October 6, 2005  
Bakersfield, California

**REVIEWED BY:** /s/ Rick C. Louviere  
**RICK C. LOUVIERE**  
Supervising United States Probation Officer

---

---

**THE COURT ORDERS:**

- ( x ) The Court Approves Probation Officer's Plan, and Orders No Further Action Be Taken At This Time.
- ( ) Submit a Request for Modifying the Conditions or Term of Supervision.
- ( ) Submit a Request for Warrant or Summons.
- ( ) Other:

October 11, 2005  
**Date**

/s/ Frank C. Damrell Jr.  
**Signature of Judicial Officer**

**RE: Marc TARVER**  
**Docket Number: 2:03CR00042-09**  
**REPORT OF OFFENDER NON-COMPLIANCE**

cc: United States Probation  
R. Steven Lapham, Philip A. Ferrari, Kenneth J. Melikian,  
Assistant United States Attorney Office  
Lindsay A. Weston, Assistant Federal Defender

Attachment: Presentence Report